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MEMO ENDORSED

October 15, 2015

The Honorable Judge Roman
United States District Court
300 Quarropas St.
White Plains, NY 10601-4150

*Re: 7:15-cv-04728-NSR Plaintiff's First Letter Motion for Extension of Time within
Which to Effectuate Service on John Doe Defendant*

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which Plaintiff has to serve John Doe Defendant with a Summons and Complaint, and states:

1. On July 14, 2015 Plaintiff filed its Motion for Leave to Serve a Third Party [CM/ECF 7].
2. On August 25, 2015, Plaintiff was granted leave to serve a third party subpoena on Defendant's ISP, Time Warner Cable, to obtain the Defendant's identifying information [CM/ECF 14]. Plaintiff issued the subpoena on August 28 15, 2015, and expected to receive the response on or before October 14, 2015.
3. Plaintiff followed up with Defendant's ISP regarding the status of the response today October 14, 2015. Upon receipt of the subpoena response, Plaintiff will determine whether or not to proceed with its claims against Defendant and to amend its Complaint.
4. Pursuant to Fed. R. Civ. P Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later today, October 15, 2015.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/16/2015

5. Procedurally, Plaintiff respectfully requests that the time within which it must effectuate service of a summons and Complaint on the John Doe Defendant be extended an additional sixty (60) days upon receipt of Defendant's identifying information from the ISP.

6. This extension will allow undersigned sufficient time to receive Defendant's information from the ISP, investigate the information provided and serve the John Doe Defendant.

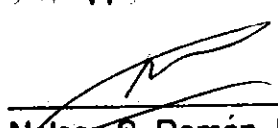
WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the John Doe Defendant be extended an additional sixty (60) days upon receipt of Defendant's identifying information from the ISP.

Date: October 15, 2015

By: Jacqueline M. James

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The application is ☒ granted.
— denied.



Nelson S. Roman, U.S.D.J.
Dated: Oct. 16, 2015
White Plains, New York 10601

The Clerk of the Court is respectfully requested to terminate the motion (doc. 15).